IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE TWENTY EIGTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT APPEAL NO : 2096 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 02/11/2004 in WP NO : 19949 OF 2004 on the file of the High Court.)

Between:

Smt. Anees SulTana, W/o Md. Yousuf,
R/o H.No. 12-5-35/C/14/1, Dr. Ambedkarnagar, Vijayapuri, Taranaka, Secunderabad.

..... APPELLANT

AND

1 The City Planner, Municipal Corporation of Hyderabad, Secunderabad Division, Secunderabad.
2 Yadagiri
R/o South side of Petitioners, H.No. 12-5-35/C/14/1, Dr.

Ambedkarnagar, Vijayapuri, Tarnaka, Secunderabad.

.....RESPONDENTS

Counsel for the Appellant:SMT.S.V.INDIRA

Counsel for the Respondent No.1: SMT.G.JYOTHI KIRAN

Counsel for the Respondent No.2: None appeared.

The Court made the following :

ORAL ORDER: (per the Hon'ble the Chief Justice)

There is nothing wrong in the order of learned single Judge dismissing the writ petition on the ground that the petitioner has chosen a wrong forum for redressal of her grievance. Grievance of the petitioner-appellant is that her property has been encroached upon by the second respondent and the first respondent, despite representation, has not taken any action on such representation. In case any encroachment has been made on the appellant's property, it will be for the appellant to invoke the jurisdiction of the civil court and not to file writ petition and moreover, respondent No.1 is not an authority having any jurisdiction to remove illegal encroachments from private properties.

Appeal dismissed.

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DEVINDER GUPTA, CJ

28-12-2004

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M.NARAYANA REDDY, J

tvr

To

1 The City Planner, Municipal Corporation of Hyderabad,
Secunderabad Division, Secunderabad.
2 2 CD copies.